

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 00-6311-Cr-Huck/Brown

UNITED STATES OF AMERICA,

Plaintiff,

vs

CLARENCE LARK, et al,

Defendants.

**NOTICE OF SUBMISSION OF
PROPOSED JURY QUESTIONNAIRE**


The defendants and the United States hereby submit the agreed upon joint proposed Jury Questionnaire in the above matter. Undersigned counsel and the United States Attorney through Michael Dittoe, have discussed the Questionnaire and reached agreement that the enclosed Questionnaire is appropriate for both sides and would therefore submit it to the Court.

A hearing is presently scheduled for 8:00 a.m. on Tuesday, February 6, 2001 with reference to the Questionnaire. In light of the agreement, counsel for the United States and the defendants would request that the hearing be canceled as moot.

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by mail this 31st day of January 2001 to all parties on the attached Service List.

Respectfully submitted,

**BIERMAN, SHOHAT,
LOEWY & KLEIN P.A.**
Attorneys for Defendant
800 Brickell Avenue PH-2
Miami, FL 33131-2944
Phone: 305-358-7000
Facsimile: 305-358-4010

By 
DONALD I. BIERMAN
Florida Bar: 093244

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SERVICE LIST
UNITED STATES v CLARENCE LARK, et al
CASE NO. 00-6311-Cr-Huck

Michael J. Dittoe, Esq.
Assistant U.S. Attorney
500 East Broward Blvd.
7th Floor
Fort Lauderdale, FL 33394

954-356-7392, 7254 ext. 3586

Donald I. Bierman, Esq
Bierman, Shohat, Loewy & Klein P.A.
800 Brickell Avenue, PH-2
Miami, FL 33131

305-358-7000
Attorney for Lark

Paul D. Lazarus, Esquire
800 Brickell Avenue
Penthouse Two
Miami, FL 33131

Steve Kassner, Esquire
815 Ponce de Leon Blvd.
Suite 303
Coral Gables, FL 33134

305-539-0606
Attorney for Crenshaw

305-461-2744
Attorney for Lampkin

Guy Speigelman, Esquire
Suite 400
28 West Flagler Street
Miami, FL 33131

Bruce H. Lehr, Esquire
Suite 810
1401 Brickell Avenue
Miami, FL 33131

305-373-6634
Attorney for McHorne

305-377-1777
Attorney for Seymour

Reemberto Diaz, Esquire
1435 South Miami Avenue
Miami, FL 33130

Larry Hanfield, Esquire
4770 Biscayne Blvd.
Suite 1200
Miami, FL 33137

305-446-0001
Attorney for Hall

305-576-1011
Attorney for Hall

James D. Henderson, Esquire
12121 Wilshire Blvd., Suite 1130
Los Angeles, CA 90025

Martin R. Raskin, Esquire
Grove Forest Plaza, Suite 206
2937 S.W. 27 Avenue
Miami, FL 33133

310-478-3131
Attorney for Gallo

305-444-3400
Attorney for Gallo

William J. Cone, Jr., Esquire
514 S.E. 7th Street
Fort Lauderdale, FL 33301

954-764-0570
Attorney for Newton

PROPOSED JUROR QUESTIONNAIRE
United States of America v. Lark, et al
Case No. 00-6311-Cr-Huck

TO THE PROSPECTIVE JUROR:

The information which you give in response to this questionnaire will be used only by the court and the parties to select a qualified jury. After a jury has been selected, all copies of your response to this questionnaire will be returned to the Clerk of the Court and kept in confidence; under seal. The attorneys are under orders to maintain the confidentiality of any information they learn in the course of reviewing this questionnaire.

Please answer each question as completely and accurately as you can. Your complete written answers will save a great deal of time for the Court, the parties and you. There are no right or wrong answers to the questions. In order to ensure that our answers are not influenced by the opinions of others, **you should fill out the questionnaire by yourself without consulting or talking with any other person.**

You are expected to sign your questionnaire, and your answers will have the effect of a statement given to the court under oath. What is needed is your very best, honest effort to answer the questions contained in the booklet.

If you cannot answer a question because you do not understand it, write "Do not understand" in the space after the question. If you cannot answer because you do not know, write "Do not know" in the space after the question. If you need extra space to answer any question, please use the extra blank sheets of paper included at the end of the questionnaire. Be sure to indicate on the blank page the number of the question you are answering.

If you feel that any question requires an answer which is too sensitive (personal or private) to be included in a public record or discussed in open court, simply write "private" in the left margin next to your answer and the questioning on that topic will be held in private, out of the presence of the other prospective jurors.

The sole purpose of the questionnaire is to encourage your full expression and honesty, so that all parties will have a meaningful opportunity to select a fair and impartial jury to try the issues in this case. Thank you for your full cooperation. It is of vital importance to the Court.

PAUL C. HUCK
UNITED STATES DISTRICT JUDGE

Juror Number: _____ Date: _____
(The number is your summons.)

1. Name: _____
Last First Middle

2. Have you ever been known by any other name(s)?

Yes _____ No _____

If yes, what name(s)?

3. Are you: Male _____ Female _____

4. Age: _____

5. Place of Birth:

a. If you were not born in the United States, what year did you come here?

6. In what area of Dade County do you currently live?

a. How long have you lived at your current address?

b. How long have you lived in Dade County?

c. Where did you live before you moved to Dade County?

d. How long did you live there?

7. Do you (check one)?

_____ Own _____ Rent

Live with relatives/friends?

8. Marital status: (If divorced, please check divorced, not single)

_____ Married _____ Live with significant other

_____ Separated _____ Divorced

_____ Remarried _____ Widowed

_____ Never married.

9. If married or living with a significant other, what is that person's native language and birthplace?

10. Do you have any children or step-children?

_____ Yes _____ No

If yes, please state:

Sex Age Child living with you? Level of education? Occupation

11. Are there any other persons residing in your household besides your spouse (Significant Other) or children?

_____ Yes _____ No

If yes, please state:

Sex Age Level of Education Occupation His/Her relationship with you

12. What is the highest level of education you completed?

_____ Grade School or less _____ Less than 2 years of college
_____ Some high school _____ More than 2 years of college
_____ High School graduate _____ College graduate
_____ Technical or business school _____ Post graduate degree

a. If you attended school after high school, including any trade or vocational schools, please list the type of school, your major area

of study and any certificates or degrees that you received:

13. What was the highest level of education your spouse or significant other completed?

<input type="checkbox"/> Grade school or less	<input type="checkbox"/> Less than 2 years of college
<input type="checkbox"/> Some high school	<input type="checkbox"/> More than 2 years of college
<input type="checkbox"/> High School graduate	<input type="checkbox"/> College graduate
<input type="checkbox"/> Technical or business school	<input type="checkbox"/> Post graduate degree

- a. If your spouse or significant other attended school after high school, including any trade or vocational schools, please list the type of school his/her major area of study and any certificates or degrees that were received:

14. Are you currently

<input type="checkbox"/> Employed	<input type="checkbox"/> Student
<input type="checkbox"/> Unemployed	<input type="checkbox"/> Disabled
<input type="checkbox"/> Retired	<input type="checkbox"/> Homemaker

a. If you are now employed:

Name of employer and location of job:

Job Title:

Duties (describe briefly):

How long have you worked at your current job?

b. If you (a) have been with your current employer less than five years or
(b) if you checked unemployed, retired, disabled or student, please
answer the following questions about last position:

How long were you at this job?

Termination date:

Reason for termination:

Name of employer and location of job:

Job title:

Duties (describe briefly)

15. Is your current job considered management?

_____ Yes

_____ No

If yes, how many people do you manage or supervise?

16. Have you ever had a job which was considered management?

If yes, how many people did you manage or supervise?

17. Have you ever owned your own business?

_____ Yes, currently _____ Yes, in the past _____ No

If yes, what type of business?

If in the past, how did you discontinue your business?

18. If you checked married or living with a significant other in question #8, please tell us about the other person:

Is he/she: _____ Employed _____ Student
 _____ Unemployed _____ Homemaker
 _____ Retired _____ Disabled

a. If a student, area of study:

b. If employed, name of employer and location of job:

Job title:

Duties (describe briefly)

Does the job involve management or supervision?

_____ Yes _____ No

If yes, how many people?

How long at current job?

c. If spouse or significant other is retired, unemployed or disabled, please list his/her last job description:

Duties (describe briefly)

How long ago did he/she leave that job?

d. If divorced or widowed, what kind of work did your spouse or partner do?

19. What are or (if retired or deceased) were your parents' occupations?

Mother_____

Father_____

20. Your race or ethnic background?

☐ Hispanic
☐ African-American
☐ Caucasian
☐ Native American
☐ Asian/Filipino/Pacific Islander
☐ Other (please specify) _____

21. In terms of your outlook on life, do you usually think of yourself as

☐ very conservative ☐ somewhat liberal
☐ somewhat conservative ☐ very liberal
☐ middle of the road

22. Have you or your spouse ever been in the military, including the reserves, National Guard or ROTC?

☐ Yes ☐ No

a. If yes, who (relationship to you):

which branch?

How many years of service?

Rank at time of discharge?

Type of work performed?

b. Have you ever been in the military police or the shore patrol?

_____Yes _____No

c. Have you ever had a military disciplinary action taken against you?

_____Yes _____No

If yes, please explain the nature and result of the disciplinary action:

Did you receive an honorable discharge?

_____Yes _____No

d. Have you ever served on court martial proceedings?

_____Yes _____No

If yes, how many times?

In what capacity?

Approximate dates of court martial service?

23. Have you ever had any previous experience as a juror?

_____ Yes _____ No

If yes, please state:

<u>Year</u>	<u>Civil/ Criminal</u>	<u>Federal /State</u>	<u>Type of case?</u>	<u>Reach a Verdict?</u>	<u>If not, why?</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

a. Were you ever a foreperson of any of these juries?

_____ Yes _____ No

24. Have you ever served on a federal or local grand jury?

_____Yes _____No

If yes, please state the nature of that jury as well as when and where you served:

a. Were you a member of the grand jury that handed down the indictment in this case?

_____Yes _____No

25. Have any of your immediate family members ever served on a federal or local grand jury?

_____Yes _____No

If yes, who (relationship to you):

Please state the nature of that jury as well as when and where they served:

- a. Were they a member of the grand jury that handed down the indictment in this case?

_____Yes _____No

26. Do you have any current physical, medical (including difficulty in seeing or hearing) or emotional problems which may make it difficult for you to serve as a juror?

_____Yes _____No

If yes, please explain:

27. Is English your native language?

_____Yes _____No

- a. If no, what is your native language?

Do you understand the English language?

_____Yes _____No

Do you speak the English language?

_____Yes _____No

Do you read the English language?

_____Yes _____No

b. How do you rate your ability to read and speak English?

_____Very good _____Good _____Minimal

c. Do you understand, speak, read and/or write any language other than English?

_____Yes _____No

If yes, indicate what other language(s):

28. Do you or any of your family members or close friends serve as officers, directors or active members of any political, social, religious, charitable, volunteer, professional or business organizations: If so, which organizations and what positions are held now or in the past, by whom?

29. In a group of people that you do not know well, how influential would you say you are in getting others to adopt your point of view? (Circle one)

_____Not at all _____Somewhat _____Extremely
influential influential influential

1 2 3 4 5 6 7 8 9 10

30. What are your hobbies, major interests, recreational pastimes and spare-time activities?

31. Have you ever signed a petition in order to get something done or something changed?

_____ Yes _____ No

If yes, please explain:

32. Do you or any family members have any bumper stickers on your car(s) or messages on your T-shirt(s)?

_____ Yes _____ No

If yes, what do the bumper stickers or T-shirt(s) say?

33. Please list the TV shows you watch regularly:

34. Do you regularly watch the 6:00 P.M. or the 11:00 P.M. local and/or national news on television?

_____ Yes _____ No

35. Do you watch any of the following programs (check all that apply)?

_____ 60 Minutes _____ 20/20 _____ Nightline
_____ Frontline _____ America's Most Wanted
_____ Dateline _____ Other news/docudrama show.

Specify: _____

36. Do you watch court TV?

_____ Yes _____ No

37. What are the last three (3) books you read?

38. Do you read the newspaper:

_____ Daily _____ 2-3 times/week
_____ Occasionally _____ Seldom or never

What newspaper do you read?

39. Please list other newspaper, magazines and/or other print publications you read regularly?

40. Which section of the newspaper do you read first?

41. What kind of movies do you like to watch?

42. Do you follow newspaper, radio and/or TV stories about crime?

_____ Yes _____ No

If yes, do you follow crime stories:

_____ Very closely _____ Occasionally

_____ Somewhat closely _____ Rarely

43. Do you listen to news or talk radio:

_____ Daily _____ 2-3 times/week

_____ Occasionally _____ Seldom or never

If yes, what language stations do you listen to most often:

_____ English _____ Spanish _____ Creole

_____ Other Please specify: _____

What news/talk radio show, if any, do you listen to most often?

Do you have a favorite news/talk radio show host?

If so, who?

44 Do you surf the net? Yes _____ No _____

Where? _____

45. During the past ten years, have you exercised your right to vote?

_____ Yes _____ No

If yes, how often?

Every time I'm eligible

_____ Yes _____ No

National elections only

_____ Yes _____ No

Only if a matter of interest to me is on the ballot

_____ Yes _____ No

46. Have you, or have any of your friends or relatives, ever been an official or employee of the United States Government or of any state or local government

agency or department, including for example, Broward County, Port Everglades or the U.S. Labor Department?

_____Yes _____No

If yes, who?

Relationship to you:

What agency or department?

47. Have you ever been in court before, other than for a minor traffic violation?

_____Yes _____No

If yes, what were the circumstances:

48. Have you ever been a witness or given a statement in any type of legal proceeding?

_____Yes _____No

If yes, briefly describe the circumstances:

49. Have you or anyone in your family ever been a party to a lawsuit?

_____ Yes _____ No

If yes, who (relationship to you)

Were you the party who sued

Or the party who was sued

What type of lawsuit was it and what was the outcome?

50. Have you, a family member or close friend ever been accused of, charged with, or convicted of any crime, or been the subject of a criminal investigation, other than a minor traffic violation?

_____Yes

_____No

If yes, please state the date, crime, charging authority and the outcome?

If yes, do you feel that you, the family member or friend was justly accused, charged, convicted or investigated?

_____Yes

_____No

Please explain:

51. Have you or any member of your immediate family ever been audited or had a dispute with any agency or department of the United States Government (including the IRS, INS, Social Security Administration, Veterans Administration, etc.)?

_____Yes

_____No

If yes, do you believe you were treated fairly?

_____Yes

_____No

Please explain:

52. Have you, a family member or close friend ever been the victim of any crime?

_____Yes _____No

If yes, please describe who was the victim and what the crime was:

a. Was anyone arrested? _____Yes _____No

If yes, what was the outcome?

b. If there was a trial, did you testify?

_____Yes _____No

c. Were you satisfied with the way law enforcement handled the matter?

_____Yes _____No

Please explain:

53. Do you know any private criminal defense attorneys, public defenders, legal Aid lawyers, paralegals, investigators or anyone else involved in criminal defense work?

_____ Yes _____ No

If yes, please list their name(s), the type of legal work they do, where they work and their relationship to you:

54. Do you know any State Attorneys, Assistant State Attorneys, U.S. Attorneys, or Assistant U.S. Attorneys, or any other type of prosecutor?

_____ Yes _____ No

If yes, please list their name(s), the type of legal work they do, where they work and their relationship to you:

55. Has any lawyer, law professor, law student or law firm employee discussed any of his/her work on cases with you?

_____ Yes _____ No

If yes, would this relationship or anything this person has told you cause you to favor either the government or the defendants in this case?

_____ Yes _____ No

If yes, please explain:

56. Have you, your family, neighbors, friends or acquaintances ever been involved in any type of law enforcement (police officer, FBI, DEA, IRS, Customs, INS, etc.) Or protective services (guards, security, investigative) work?

_____ Yes _____ No

If yes, please describe the person, the department by which he/she is employed, and that person's relationship to you.

57. Have you or anyone close to you ever considered law enforcement or protective services as a career?

_____ Yes _____ No

If yes, please explain:

58. Are you a member of any Labor Union? _____ Yes _____ No

Have you ever held office in that Labor Union? _____ Yes _____ No

Have you ever had any difficulty with the officers of your Union?

_____ Yes _____ No

Do you believe that the Labor Union officers do a good job for their members and the public? _____ Yes _____ No

59. Have you as an employer or owner/manager of a company ever had dealings with Labor Unions?

_____ Yes _____ No

60. If the answer to the question 59 is yes, please explain. What feelings are you left with about Labor Unions?

61. As a general matter, do you feel that the Teamsters Union and other Unions are honest organizations?

_____ Yes _____ No

62. Have you ever heard or are you personally acquainted with any of the defendants?

Clarence Lark _____ Yes _____ No

Larry Crenshaw _____ Yes _____ No

William Garcia _____ Yes _____ No

Curtis Newton _____ Yes _____ No

John Gallo _____ Yes _____ No

Ricardo McHorne _____ Yes _____ No

Charlie Hall _____ Yes _____ No

Keith Lampkin _____ Yes _____ No

Lawrence Seymore _____ Yes _____ No

If yes as to any, please explain: _____

63. Before today did you have any information from any source about a legal case involving these persons?

_____ Yes _____ No

If yes, what information have you heard and what is the source?

64. Have you seen, read or heard anything about this case?

_____Yes _____No

If yes, please state what you remember reading or hearing about the case.

Have you formed an opinion as to the guilt or innocence of any of the defendants?

_____Yes _____No

If yes, what opinion have you formed and on what is it based?

65. Is there anything about what you have seen, read or heard which has caused you to form an opinion as to the guilt or innocence of any of the defendants?

_____Yes _____No

If yes, what opinion have you formed and what is it based on?

66. Do you know of any reason why you may be prejudiced for or against the government or for or against the defendants because of the nature of the charges?

67. Do you feel that you would have any problem sitting impartially as a juror in a case where a defendant is of **Italian** extraction?

_____ Yes _____ No

68. This case involves allegations regarding the importation of narcotics. Do you feel that you would have any problem sitting impartially as a juror in a case where the defendants are charged with narcotics offenses and/or money laundering involving narcotics proceeds?

_____ Yes _____ No

69. Have you or any member of your family ever been addicted to narcotics?

_____ Yes _____ No

If yes, please explain _____

If yes, would this result in your inability to judge a case involving charges of narcotics fairly? _____ Yes _____ No

70. Have you ever been a member of any anti-drug organization?

_____ Yes _____ No

71. Do you regularly read any publications which advocate changes in present laws concerning distribution of adult films and videos?

_____ Yes _____ No

If yes, please identify the publication or publications.

72. Have you ever belonged to or contributed to any organization which advocates changes in the laws regarding adult movies or videos and their distribution?

_____ Yes _____ No

If yes, please identify the organization or organizations _____

73. Do you feel that you would have any problem sitting impartially as a juror in a case where a defendant(s) and/or witness(es) were employed in the adult movie business?

_____ Yes _____ No

74. Do you believe that you would have any difficulty distinguishing or identifying the evidence which should be attributed to each separate defendant, in accordance with the court's instructions, in a nine (9) defendant case which could last in excess of two months?

_____ Yes _____ No

75. Do you harbor any feelings about union officials that might cause you to be unable to impartially evaluate the evidence presented in this case?

_____ Yes _____ No

Please explain:

76. Do you harbor any feelings about Afro-Americans that might cause you to be unable to impartially evaluate the evidence presented in this case in which the defendants are African-American?

_____ Yes _____ No

77. If you were representing either party in this case, that is, either the Government or the defendant, is there any reason why you would not want to have the case decided by someone with your beliefs, background or frame of mind?

78. Do you know, or are you familiar with, any of the persons listed below:

_____ Assistant United States Attorney Michael Dittoe
_____ Donald I. Bierman, Esquire
_____ Paul D. Lazarus, Esquire
_____ Guy Speigelman, Esquire

_____ Reemberto Diaz, Esquire
_____ James D. Henderson, Esquire
_____ William J. Cone, Jr., Esquire
_____ Steve Kassner, Esquire
_____ Bruce H. Lehr, Esquire
_____ Larry Hanfield, Esquire
_____ Martin R. Raskin, Esquire

If yes, please identify and state how you are familiar with that person:

79. Have you or any member of your family or friends done business with any of the following:

A. Crowley American Transport, Inc. _____
B. Star's Choice _____
C. Klimaxxx Productions, Inc. _____
D. The Bitas Group, Inc. _____
E. Triple J Enterprises, Inc. _____

If yes, please explain:

80. This trial may take up to six weeks. Do you have any serious problem sitting as a juror in a case that may take up to six weeks to complete?

_____Yes _____No

If yes, please explain any problems you might have:

81. Other than the possible length of the trial, do you have any other concerns or reservations about sitting as a juror in this case?

_____Yes _____No

If yes, what are those concerns or reservations?

82. Has any person talked with you about your possible service as a juror in this particular case or about the jury selection process?

_____Yes _____No

If yes, please explain:

83. Can you think of **any** reason why you could **not** be a fair and impartial juror in this case?

_____Yes _____No

If yes, explain fully:

84. Do you have any health problems (e.g. eyesight, hearing, emotional, etc.), are you taking medication or do you have any other condition that might affect your concentration during the trial?

_____Yes _____No

If yes, describe the health problem(s), medication or other condition and its effect upon you:

Would any such medication or physical impairment make it a hardship for you to sit on the jury?

_____Yes _____No

85. Is there anything you can think of that you should bring to the court's attention regarding your service as a juror on this case?

_____ Yes _____ No

If yes, please explain:

86. Have you consulted with anyone in order to complete this questionnaire?

_____ Yes _____ No

If yes, with whom did you consult and why?

87. As a result of filling out this questionnaire, have you formed any opinions about this case?

_____ Yes _____ No

If yes, what are those opinions?

88. Do you have any questions, and if so, what questions do you have?

I declare under penalty of perjury that the answers I have given are true and correct.

Signature

Juror Number

We realize that we have imposed on your time in responding to this questionnaire, and we thank you for your attention and honesty in its completion. We assure you that it will assist the Court in selecting a fair and impartial jury.

Thank you.